

about previously, was driving along a quiet road, Highway 2, from Williston, ND, to Minot, ND, one afternoon after attending a League of Cities meeting in Williston. She stopped at a rest stop, and she was unlucky enough that afternoon to be confronted at the rest stop by a violent felon from the State of Washington. He had been let out early and should have been in jail. But he wasn't. He slashed her throat. And while she lay there bleeding, people thought she would die. Someone came along that road that day, and it turned out they had a cell phone. The woman in the car knew something about nursing and she saved Julie's life.

The fact is, that young woman, while her life was saved, is now going through years and years of therapy to be able to talk normally once again. Her throat was slashed very badly when she was assaulted by this felon. He was chased by the police and he committed suicide some miles down the road. But he should not have been on the roads and highways and should not have been threatening Julie Schultz. Yet he was.

It is true of Mr. Robert Lee Dyer, except that if Judge Thurman Rhodes had not let him out on bail he would have been incarcerated. Instead, Jamel Stephon Zimmerman is now dead.

I hope this criminal justice system, judges, prosecutors, and I hope finally this Senate and the House will find a way to pass legislation saying we are going to distinguish between those who commit nonviolent crimes and those who commit violent crimes.

Everyone should understand this. Commit a violent crime, and you are going to spend your time in jail until the end of your term. You are not going to be released early to commit another violent crime against an innocent bystander.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE—S. 1

Mr. CRAIG. Mr. President, I ask unanimous consent that on Tuesday, following the 10:15 a.m. vote on the Bolton nomination, the Senate proceed to the vote in relation to the listed amendments in the following order: Craig amendment No. 372; Kennedy amendment No. 375.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, MAY 8, 2001

Mr. CRAIG. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Tuesday, May 8. I further ask unanimous consent that on Tuesday, immediately following the prayer, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the Bolton nomination as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS FOR PARTY CONFERENCES TO MEET

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. to 2:15 p.m. for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. CRAIG. Mr. President, for the information of all Senators, the Senate will have 45 minutes to complete debate on the Bolton nomination beginning at 9:30 tomorrow morning. A vote on confirmation of the nomination will begin at 10:15 a.m. with votes on amendments to the education bill stacked to follow. Following votes, the Senate will resume consideration of the education bill. Amendments will be offered and, therefore, votes will occur throughout tomorrow's session.

Senators should also expect votes throughout the week in an effort to make significant progress on the education bill and to complete action on the conference report to accompany the budget resolution.

ORDER FOR ADJOURNMENT

Mr. CRAIG. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order, following the remarks of Senator WELLSTONE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I think Senator WELLSTONE is expected on the floor soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FITZGERALD). Without objection, it is so ordered.

NOMINATION OF JOHN ROBERT BOLTON TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY—Continued

Mr. WELLSTONE. I thank the Chair. I thank my colleagues for their graciousness. I did want a chance to speak about the nomination of John R. Bolton to be Under Secretary of State for Arms Control and International Security Affairs. I thank colleagues for providing me this opportunity. My understanding is that we are going to adjourn soon. I hope I have not inconvenienced everyone.

Mr. President, filling this position is a critical responsibility of the new administration. Crafting the Nation's arms control agenda is a formidable, serious task that directly affects our national security. Moreover, the administration needs to have its arms control team in place as soon as possible. For these reasons, I do not oppose John Bolton's nomination lightly.

As a member of the Senate Foreign Relations Committee, I am convinced that the position of Under Secretary of State for Arms Control and International Security Affairs must be filled with an individual who is committed to advancing the entire Nation's agenda. He or she must carry out arms control responsibilities in the spirit of idealism that characterizes the best tradition of America's public servants.

The individual who is confirmed by the Senate must provide deliberate and thoughtful advice to the Secretary of State, independent of political party allegiance or affiliation. He or she must be objective in his analysis of exceedingly complex issues. He or she must be committed to protecting our national security, to reducing the world's immense stockpile of nuclear weapons, and to making the world a safer place for all mankind.

After careful consideration, I have concluded that John Bolton is not the right man for Under Secretary for Arms Control and Non-proliferation. I believe John Bolton is too conservative and too partisan; his views are too extreme for a position of this importance and he does not represent the kind of bipartisan cooperation needed to advance the Nation's arms control agenda. Finally, I do not believe that John Bolton possesses the requisite arms control experience to carry out the responsibilities of this job effectively.

I want to make clear that I do not question John Bolton's integrity or his commitment to public service. I had a chance to meet with him, and I do not question this at all. He has a long career in senior appointed positions in the administrations of Presidents Reagan and George Herbert Walker Bush. I respect his willingness to serve our Nation again. I recognize the prerogative and responsibility of Presidents to nominate their foreign policy

teams. I have supported a majority of the President's nominations. But, I also insist on exercising my constitutional right as a Senator to provide advice and consent to the President's nominations.

I have fundamental disagreements with this nominee on a number of substantive issues. I believe that in this case the gap between the views of the voters I represent in Minnesota and John Bolton's are too wide to ignore. There is ample room in a democracy for a wide spectrum of political philosophy and belief. I believe in the free exchange of ideas. Divergent views make our public debate healthier and our Nation stronger. My opposition to John Bolton is not merely ideological. I believe our primary public official responsible for arms control, non-proliferation, and security policy must make a convincing case that he or she will advance the Nation's agenda in a constructive and positive fashion. To date, John Bolton has come up short in this regard.

First and most important, I am disturbed by John Bolton's views on strategic nuclear policy.

He opposed the Comprehensive Test Ban Treaty, a treaty which I supported, voted for, and believe in. Our failure to approve this treaty effectively scuttles it and leaves the United States as the spoiler in this international effort to curb nuclear testing. The CTBT was the first modern arms control agreement ever rejected. It was defeated in a period of intense partisan bickering and ideological polarization.

Yet, at the time of CTBT defeat, two of my distinguished colleagues, Senator HAGEL and Senator LIEBERMAN, a Republican and a Democrat, wrote in a New York Times op-ed that:

Our constituents and our allies have expressed grave concerns about our hasty rejection of the (CBTB) treaty and the impact of that rejection on the treaty's survival. They need to know that we, along with a clear majority in the Senate, have not given up hope of finding common ground in our quest for a sound and secure ban on nuclear testing.

I share this belief and I am convinced that is important for the nation's chief arms control administrator to be on record as favoring strict curbs to nuclear testing.

In the days following its defeat, John Bolton announced that the "CTBT is dead." He characterized proponents of the treaty as "misguided" and "neo-pacifists." These remarks ill serve the efforts of many of my Senate colleagues and of thousands of dedicated activists world-wide who are committed to ending the reckless development of nuclear weapons. They are not the kind of remarks that speak well for a member of a new administration.

On another key international agreement on which the Under Secretary of State for Arms Control must advise the President and Secretary of State, John

Bolton has not made up his mind. You will recall that on March 29, John Bolton told members of the Senate Foreign Relations Committee that his views on whether the Anti-Ballistic Missile Treaty is in force or not were not fully formed. He asked for time for the "intellectual heavy lifting" required to understand this issue. I am the first to admit that the issues raised in the ABM treaty are extremely complex. But is it right to give the consent of the United States Senate to a nominee who has not fully thought out issues that are fundamental to our national security?

On the role of international institutions, John Bolton has been both outspoken and negative. Again, I do not share his views.

He has not supported the critically important role of the United Nations. I agree with him that the U.N. is not a perfect institution. But, it remains the sole forum in which all nations of the world discuss international issues. John Bolton has suggested that we would be better off if the U.N. were decapitated and the top 10 stories of the U.N. building in New York removed. This blanket condemnation of an international body created to promote peacemaking and mutual understanding is discouraging coming from a former Assistant Secretary of State of International Organizations. As a nation, we have a 50-year commitment to the U.N. As a United States Senator, I will continue to insist that we fulfill this commitment.

The nominee to this position should be fully dedicated to pursuing multilateral diplomacy. CTBT is, after all, a multilateral treaty. Increasingly, we live in a multipolar world that requires our senior diplomatic officials to be fully aware and sensitive to the concerns of all nations, including the non-aligned and developing countries as well as first world countries. If our officials do not appreciate this world view, they will not be intellectually equipped to provide sound advice on the conduct of American foreign policy.

John Bolton has asserted (in the 1994 Global Structures Convocation) that "there is no such thing as the United Nations. There is an international community that occasionally can be led by the only real power left in the world and that is the United States when its suits our interest and we can get others to go along." In today's world, these remarks are inevitably seen by the rest of the world as arrogant, confrontational, and condescending. They make it more difficult for the U.S. to provide world leadership. I would suggest that President Bush find a more inspiring leader to serve in the new Administration.

On the issue of trade in conventional arms, I am not convinced that John Bolton possesses the objectivity to provide advice that is always in the best interests of the United States.

The Under Secretary of State for Arms Control is a key player formulating the Administration's policy on arm sales to politically sensitive countries. Foremost of these is Taiwan.

John Bolton would undoubtedly be an aggressive supporter of future sales to Taiwan. In his past writings, he has explicitly supported independence for Taiwan. At the hearings last month, he appeared to back off from this position somewhat. We are left uncertain about what his real views are. For a senior State Department official, this posture is unsettling. When John Bolton sits down to advise the Secretary of State on relations with Taiwan, which view will Colin Powell be getting?

It may be instructive to look at this position in the context of John Bolton's work in behalf of Taiwan. In accordance with disclosure requirements for consideration for this post, John Bolton reported receiving \$30,000 from the Taiwanese government for a series of 3 articles he wrote from 1994 to 1996. The articles argued in favor of a U.N. seat for Taiwan. Twice during this period, Bolton testified before the House Foreign Affairs Committee on the same subject.

I am not critical of Mr. Bolton for offering his legal and literary services to the Taiwanese government. That is his private affair. However, I am concerned that his unorthodox pro-independence views on Taiwan plus his acceptance of fees may color his judgment on key issues relating to Taiwan. If not handled in a balanced and deliberate way, arms sales issues have the potential to be destabilizing for the entire East Asian region.

On other issues of international significance, I do not believe John Bolton's views are in the best interest of the United States.

Bolton opposes creation of an International Criminal Court (ICC), which I have supported. Our failure to support the ICC was one of the reasons that the United States was voted off the United Nations Human Rights Commission on May 3, for the first time since the commission was founded under U.S. leadership in 1947.

Bolton supports covert actions to arm and train Iraqi opposition to overthrow Saddam Hussein. I have profound reservations about this approach to eliminating Saddam. Before we back Iraqi opposition groups financially and logistically, we need practical assurances that these groups have the support of the Iraqi people, are capable of using our resources effectively, and are committed to following through with a realistic campaign.

Bolton has written that our approach to the North Korea Agreed Framework is "egregiously wrong." This is an initiative that the Clinton Administration spent years patiently crafting with the North Koreans. It has the support of the Japan and the European

Union in addition to the government of South Korea, which is taking courageous steps to reduce tensions on the Korean peninsula. In my judgment, U.S. interests are best served by providing continuity to this approach and not by undercutting the South Korean leadership.

Regarding Kosovo, John Bolton has demonstrated little appreciation of our national interests in resolving the most violent threat to the stability of Europe since the fall of the Berlin Wall. Indeed, Bolton wrote that President Clinton and Prime Minister Tony Blair's justification for military action is "singularly, and indeed, proudly devoid of any concrete U.S. or UK interests as we traditionally understand the term. Indeed, they justified the instigation of hostilities as a humanitarian intervention." In my opinion, our humanitarian interests are always in our national interests. Senior State Department officials should understand this point unequivocally.

John Bolton's work for the Reagan administration has also drawn fire. At

the Department of Justice under Attorney General Meese, Bolton earned a reputation for his abrasive and controversial tactics in dealing with Congressional requests for information. I understand from some of my colleagues that he was repeatedly unhelpful, slow to respond, and argumentative. He was reportedly involved in the delay and cover-up of missing documents on several occasions.

As I reviewed my prepared remarks on the nomination of John Bolton, I could not avoid the conclusion that the Administration has proposed a controversial, highly partisan man to perform a job of utmost sensitivity and importance to our national interests. John Bolton's presence in the inner circle of the State Department may actually undercut the promising start of Secretary Colin Powell, who has demonstrated a deft touch and sound judgment in dealing with the our allies and friends around the world. I believe we do the nation no service by confirming the wrong man for this position.

ADJOURNMENT UNTIL TOMORROW
AT 9:30 A.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Tuesday, May 8, 2001.

Thereupon, the Senate, at 5:38 p.m., adjourned in executive session until Tuesday, May 8, 2001, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 7, 2001:

DEPARTMENT OF DEFENSE

JACK DYER CROUCH, II, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE FRANKLIN D. KRAMER.

JAMES G. ROCHE, OF MARYLAND, TO BE SECRETARY OF THE AIR FORCE, VICE F. WHITTEN PETERS.

SUSAN MORRISEY LIVINGSTONE, OF MONTANA, TO BE UNDER SECRETARY OF THE NAVY, VICE ROBERT B. PIRIE, JR.

DEPARTMENT OF STATE

STEPHEN BRAUER, OF MISSOURI, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELGIUM.